

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88448

Takashi FUJIKAWA, et al.

Appln. No.: 10/539,400

Group Art Unit: 1793

Confirmation No.: 2906

Examiner: HAILEY, PATRICIA L

Filed: June 16, 2005

For: HYDROTREATING CATALYST FOR GAS OIL, PROCESS FOR PRODUCING THE SAME, AND METHOD OF HYDROTREATING GAS OIL

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted, and a Statement Under 37 C.F.R. § 1.97(e).

The listed documents are cited in a Supplementary European Search Report (SESR) dated May 11, 2009 on a corresponding European application. A copy of the SESR is submitted herewith. The Examiner will kindly note that the second and fifth documents cited in the SESR

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(namely, EP 0 496 592 and JP-A-2001-062301), were listed on the IDS filed on June 16, 2005, so they are not listed in the present IDS.

The Examiner will also please note that US 5,232,888 corresponding to listed document EP 0 482 817 has also been disclosed in an IDS filed December 13, 2006, and that US 2003 173256 corresponding to listed document EP 1 402 948 was cited in the Office Action dated February 25, 2009. Thus, documents corresponding to listed documents EP '817 and EP '948 have previously been made of record and considered in the present application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The U.S. PTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: July 21, 2009

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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